

PTO/SB/21 (08-03)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/702,681
		Filing Date	November 5, 2003
		First Named Inventor	Deborah A. RATHJEN
		Art Unit	Not Yet Assigned
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	33 + 1 reference	Attorney Docket Number	273402602309

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
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<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Form PTO-1449 + copy - 28 pages
<input checked="" type="checkbox"/> Information Disclosure Statement - 4 pages	<input type="checkbox"/> CD, Number of CD(s) _____	Return Receipt Postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
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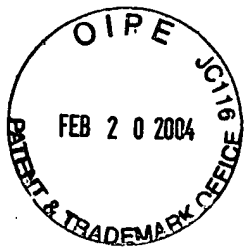
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Firm or Individual name	MORRISON & FOERSTER LLP (Customer No. 25226) Kimberly A. Bolin - 44,546
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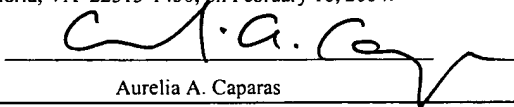
(Aurelia A. Caparas)



PATENT
Docket No. 273402602309
Client Reference: 501927

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Aurelia A. Caparas

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Deborah A. RATHJEN et al.

Serial No.: 10/702,681

Filing Date: November 5, 2003

For: TUMOUR NECROSIS FACTOR
BINDING LIGANDS

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copy of Reference No. 5 of the Form PTO-1449 is included herewith. Copies of the other documents listed on the Form PTO-1449 were previously submitted in Information Disclosure Statements and Office Actions, directed to the U.S. Patent Application No. 10/265,451, filed October 3, 2002, and U.S. Patent Application No. 09/364,039, filed July 30, 1999, and accordingly copies

are not included herewith. This protocol conforms with 37 C.F.R. §1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application. Please note that if the Examiner requires additional copies of the documents, the Applicants will be happy to provide them upon request.

Additionally, Applicants bring to the attention of the Examiner the following information and patent applications: The present application is a continuation of U.S. Patent Application No. 10/453,176, filed June 2, 2003 (Publication No. 2003-0232971), which is a continuation of U.S. Patent Application No. 10/359,934 (Publication No. 2003-0225254), filed February 7, 2003, which in turn is a continuation of U.S. Patent Application No. 10/327,541, filed December 20, 2002 (Publication No. 2004-0002588), which is a Continuation of U.S. Patent Application No. 10/265,451, filed October 3, 2002 (Publication No. 2003-0162948) and, accordingly, copies are not included herewith.

Finally, Applicants is also bringing to the attention of the Examiner the co-pending applications referred on the Form PTO-1449 as Reference Nos. 2-20 (included) and U.S. Patent Application No. 10/346,499, by Deborah A. Rathjen et al., filed January 15, 2003, which has not yet been published.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
- ☐ A fee is required. A check in the amount of ___ is enclosed.

- ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of __ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **273402602309**.



However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

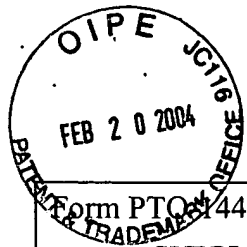
Dated: February 17, 2004

Respectfully submitted,

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Form PTO/SB/08 (2-92)
449SUPPLEMENTAL INFORMATION
DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number 273402602309

Application Number 10/702,681

Applicant

Deborah A. RATHJEN et al.

Filing Date November 5, 2003

Group Art Unit Not Yet Assigned

Mailing Date February 18, 2004

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	01/24/2002	2002/0010180	Fedlmann et al.			
	2.	07/17/2003	2003/0135029	Rathjen et al.			
	3.	07/24/2003	2003/0139577	Rathjen et al.			
	4.	07/24/2003	2003/0139580	Rathjen et al.			
	5.	08/28/2003	2003/0162948	Rathjen et al.			
	6.	09/04/2003	2003/0166874	Rathjen et al.			
	7.	09/11/2003	2003/0170204	Rathjen et al.			
	8.	09/11/2003	2003/0171553	Rathjen et al.			
	9.	09/11/2003	2003/0171554	Rathjen et al.			
	10.	09/11/2003	2003/0171555	Rathjen et al.			
	11.	10/23/2003	2003/0199678	Rathjen et al.			
	12.	11/06/2003	2003/0208047	Rathjen et al.			
	13.	11/06/2003	2003/0208049	Rathjen et al.			
	14.	11/20/2003	2003/0216552	Rathjen et al.			
	15.	12/04/2003	2003/0225254	Rathjen et al.			
	16.	12/18/2003	2003/0232970	Rathjen et al.			
	17.	12/18/2003	2003/0232971	Rathjen et al.			
	18.	01/01/2004	2004/0002588	Rathjen et al.			
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	20.	01/01/2004	2004/0002590	Rathjen et al.			
	21.	07/29/1986	4,603,106	Cerami et al.			
	22.	04/18/1989	4,822,776	Cerami et al.			
	23.	09/26/1989	4,870,163	Rubin et al.			
	24.	12/24/1991	5,075,236	Yone et al.			
	25.	02/02/1993	5,183,657	Buurman			
	26.	07/06/1993	5,225,539	Winter			

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DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449 SUPPLEMENTAL INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>	Docket Number 273402602309	Application Number 10/702,681
	Applicant Deborah A. RATHJEN et al.	
	Filing Date November 5, 2003	Group Art Unit Not Yet Assigned
	Mailing Date February 18, 2004	

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	28.	08/17/1993	5,237,024	Allberry et al.			
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	32.	12/17/1996	5,585,089	Queen et al.			
	33.	07/01/1997	5,644,034	Rathjen et al.			
	34.	08/12/1997	5,656,272	Le et al.			
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	36.	09/30/1997	5,672,347	Aggarwal et al.			
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Form PTO-1449

SUPPLEMENTAL INFORMATION
DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number 273402602309

Application Number 10/702,681

Applicant

Deborah A. RATHJEN et al.

Filing Date November 5, 2003

Group Art Unit Not Yet Assigned

Mailing Date February 18, 2004

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation	
							YES	NO
	62.	03/17/1983	EP 0 101 681	Europe				
	63.	07/09/1986	EP 0 186 833	Europe				
	64.	03/04/1987	EP 0 212 489	Europe				
	65.	04/22/1987	EP 0 218 868	Europe				
	66.	09/30/1987	EP 0 239 400	Europe				
	67.	03/23/1988	EP 0 260 610	Europe			Abstract	
	68.	10/26/1988	EP 0 288 088	Europe				
	69.	03/22/1989	EP 0 308 378	Europe				
	70.	01/17/1990	EP 0 350 690	Europe			Abstract	
	71.	01/24/1990	EP 0 351 789	Europe				
	72.	05/02/1990	EP 0 366 043	Europe				
	73.	08/01/1990	EP 0 380 068	Europe				
	74.	10/24/1990	EP 0 393 438	Europe			Abstract	
	75.	11/22/1990	EP 0 398 327	Europe				
	76.	02/13/1991	EP 0 412 486	Europe				
	77.	06/26/1991	EP 0 433 900	Europe				
	78.	10/16/1991	EP 0 451 216	Europe				
	79.	05/27/1992	EP 0 486 526	Europe				
	80.	10/27/1993	EP 0 566 647	Europe				
	81.	08/17/1994	EP 0 610 201	Europe				

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	82.	11/15/1995	EP 0 682 040	Europe				
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	84.	10/07/1987	GB 2,188,638	Great Britain				
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(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
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	96.	Appeal file history against the Decision of Opposition Division of European Patent Office dated November 11, 1999, of Application No. 90911467.0, Opposition No. 2116, Publication No. 0 486 526, Appeal Proceedings No. T0129/00-334 (01/24/2000-09/13/2000), pages 1-62.
	97.	Arend, W.P. (2002). "The Mode of Action of Cytokine Inhibitors," <i>J. Rheumatol.</i> 29(S65):16-21.
	98.	Arendt, A. et al. (1993) "Optimization of Peptide Synthesis on Polyethylene Rods," <i>Pept. Res.</i> 6(6):346-352.
	99.	Aston, R. et al. (1985) "Monoclonal antibodies to growth hormone and prolactin" <i>Pharmac. Therapeut.</i> 27:403-424.
	100.	Aston, R. et al. (1989) "Antibody-mediated enhancement of hormone activity," <i>Mol. Immunol.</i>

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Form PTO-1449 SUPPLEMENTAL INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>		Docket Number 273402602309	Application Number 10/702,681
		Applicant Deborah A. RATHJEN et al.	
		Filing Date November 5, 2003	Group Art Unit Not Yet Assigned
		Mailing Date February 18, 2004	
		26(5):435-446.	
	101.	Atherton, E. et al. (1975). "Polyamide Supports for Polypeptide Synthesis," <i>Journal of the American Chemical Society</i> 97(22):6584-6585.	
	102.	Atherton, E. et al. (1978). "A Mild Procedure for Solid Phase Peptide Synthesis: Use of Fluorenylmethoxycarbonylamino-acids," <i>J.C.S. Chem. Comm.</i> pp.537-539.	
	103.	Aujame, L. et al. (1997). "High Affinity Human Antibodies by Phage Display," <i>Human Antibodies</i> 8(4):155-168.	
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	107.	Beutler, B. et al. (1985). "Identity of Tumour Necrosis Factor and the Macrophage-Secreted Factor Cachectin," <i>Nature</i> 316:552-554.	
	108.	Beutler, B. et al. (1985). "Purification of Cachectin, A Lipoprotein Lipase-Suppressing Hormon Secreted by Endotoxin-Induced Raw 264.7 Cells," <i>J. Exp. Med.</i> 161:984-995.	
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	113.	Bringman, T. et al. (1987) "Monoclonal antibodies to human tumor necrosis factors alpha and beta: application for affinity purification, immunoassays, and as structural probes" <i>Hybridoma</i> 6(5):489-507.	
	114.	Burton, D.R. and Barbas, C.F. (1992). "Antibodies From Libraries," <i>Nature</i> 359(6398):782-783.	
	115.	Burton, D.R. and Barbas, C.F. (1994). "Human Antibodies From Combinatorial Libraries," <i>Adv. Immunol.</i> 57:191-280.	
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	117.	Cerami, A. et al. (1985). "Weight Loss Associated With an Endotoxin-Induced Mediator From Peritoneal Macrophages: The Role of Cachectin (Tumor Necrosis Factor)," <i>Immunol. Lett.</i> 11:173-177.	
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	123.	Cross, A.S. et al. (1989). "Pretreatment with Recombinant Murine Tumor Necrosis Factor α /Cachectin and Murine Interleukin 1 α Protects Mice From Lethal Bacterial Infection," <i>The Journal of Experimental Medicine</i> 169:2021-2027.	
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	131.	Engelmann, H. et al. (1990). "Two Tumor Necrosis Factor-Binding Proteins Purified from Human Urine," <i>J. Biol. Chem.</i> 265(3):1531-1536.	
	132.	English Abstract of Japanese Laid-Open publication 1-268645.	
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Applicant

Deborah A. RATHJEN et al.

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